Chapter - III
CHAPTER - III

LAND USE PLANNING

Land which characterizes the qualities of the earth takes many physical forms—plains, swamps, hills, mountains (or) valleys; it also has many kinds of vegetation such as Forest, Prairie (or) Tundra and it has one of many kinds of climate from hot to cold, as well as humid to dry. As such the land suitable for human settlement is less, and this scarcity of land necessitates proper land use planning.

In the urban context “Land-use” refers to the “use of the land” and its physical character plays a role in determining urban Land use. The main function of land use planning is to bring out the potentialities of development to suggest the strategies for their proper development, so that they may become better place to live.¹

Urban land use is commonly used to refer to the spatial distribution of city functions: its residential areas, its industrial, commercial and retail business districts, major work areas, its institutional and leisure time functions. In land use planning the purposes usually identified with public interest are Health, Safety, Convenience, Economics and Amenity.² Since land use planning has been viewed differently by Economists, Sociologists and Town planners, care must be taken to ensure that all factors relevant to land use planning are taken into consideration before evolving a land use pattern for a Metropolitan Area.

Any proposal for determining future land use in a growing Metropolitan Area must take into account the present pattern of land use in that area. Gwyneth Kirk has said that land use planning is both technical and political activity involving the distribution of scarce resources viz. land and capital.

The need for land use planning arises due to the non-elasticity of land. That means it does not expand like population. Therefore providing maximum accommodation to the urban population is one of the important steps involved in urban planning. This necessitates proper use of urban land. In many Asian countries, the major challenge to land use planning is high increase in total population and high density in urban areas. The transportation network, the communication network, construction of dwellings and
public institutions etc. compel both the Government and private agencies to go in for efficient use of land. Improper use of land has to be avoided, for it leads to considerable wastage and progressive deterioration of production and productivity.

Urban land is formed by five basic elements viz. man, society, nature, structure and network. Due to these elements certain needs are created for men which may be biological, physiological, psychological, etc. which create certain conditions within the existing (or) predicted physical, economical, social, administrative and political factors. These created conditions, form a land use pattern.

The task of planning the urban land use involves recognition of the basic trends of urban development in the particular urban area in accordance with certain broad principles which interrelate the different land uses functionally as well as environmentally. Functionally the different land uses should be efficient so that it minimizes the time spent and easily accessible to the population. At the same time it has to take into account the environmental hazards if certain types of industries are located near the residential area.4

Normally land use has been classified under the main categories of Residential Commercial, Industrial, Public and Semi public, Recreation, Open spaces, Transport and Communication network. To Bartholomeo and Giden Golany’s view5 each type of land use has the following norm percentage to the total area.

Table 3.1
PROPOSED NORM PERCENTAGE UNDER DIFFERENT TYPES OF LAND USES

<table>
<thead>
<tr>
<th>Category</th>
<th>Proposed percentage to total Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>29 - 40</td>
</tr>
<tr>
<td>Commercial</td>
<td>2 - 4</td>
</tr>
<tr>
<td>Industrial</td>
<td>2 - 5</td>
</tr>
<tr>
<td>Public utility services</td>
<td>20 - 31</td>
</tr>
<tr>
<td>Vacant and waste bodies</td>
<td>3 - 6</td>
</tr>
<tr>
<td>Market, gardening &amp; agriculture</td>
<td>25 - 33</td>
</tr>
</tbody>
</table>
THEORIES OF LAND-USE PLANNING:

Urban land use planning is not a recently conceived idea. Several professionals have written about land-use planning in the early periods and they have emphasised how best the exiting land can be utilised for all human purposes.

In the later part of the 5th century an architect by name Hippodamous advanced some positive theories about the Art and Science of land use planning. He propounded the “Grid Iron” system and super imposed this in many cities of Greece.

Romans considered the construction of multi-storeyed buildings as one of the ways by which population can be accommodated in urban land. Between 19th and 20th Century, three theories were evolved by eminent Town planners viz Patrick Geddes, Ebenezer Howard and Henry Wright and Clarence Stein. Patrick Geddes stressed a comprehensive survey before going in for planning. He advocated that urban environment is to be improved not by demolishing the entire area but by clearing the defective parts. He suggested that proposal for development should be formulated on the basis of a comprehensive approach i.e., by studying its physical, economical and social aspects.

Ebenezer Howard had brought in the concept of “Garden city.” He stressed that land use planning should be based on the merits of urban and rural aspects by creating employment opportunities, provision of community facilities and services on the one hand and on the other having an open layout for housing areas for good circulation of air and healthy atmosphere; a green belt between residential and industrial areas to protect it against the nuisance of factories.

After taking inspiration from the “Garden city” concept, Henry Wright and Clarence Stein planned Neighbourhood completely by providing traffic roads all around the periphery and keeping the internal areas free from vehicles. All the internal circulations were based on pedestrian paths.
In the second quarter of the present century, a variety of theories have been developed to describe and explain the pattern of land use and the distribution of population groups within cities. The four most widely accepted theories are Concentric Zone Theory, the Sector Theory, the Multiple Nuclear Theory and the Inverse Concentric Zone Theory.

Concentric Zone Theory:

This was first conceptualised by Fredrick Engels in the mid 19th century after noting the location of several activities in different areas within Manchester. He believed that this pattern was more or less common to all great cities. At the centre of the city, located commercial activities. Next to this was the working peoples quarters. Extending outward were the homes of the middle bourgeois and next to it were the homes of upper bourgeois.

Although Engels was the first to describe the spatial pattern of the city, E.W. Burgess was responsible for the concentric zone model theory in 1925. To him, the growth of any town (or) city occurs through a radial expansion from the centre so as to form a series of concentric zones (or) circles. The process used to explain these successive rings was called “invasion or succession.” That is each type of land use and each socio-economic group tends to extend its zone by the invasion of the next outer zone.

Sector Theory:

Homer Hoyt had developed this theory. He applied this theory mainly to residential areas. He opined that the high-rent residential sector is responsible for the growth of the city because it tends to pull the growth of the entire city in the same direction. He also said that the growth tends to extend outward along transportation axes and does not encircle the city at its outer limits.
Multiple Nucleai Theory:

While the Concentric Zone Theory and Sector Theory have pronounced an
unnuclear city growth, the Multiple Nuclear Theory says that cities tend to grow around
not one but several distinct nuclei thus forming a multiple nuclear pattern. The theory
reveals that multiple pattern arises due to the following factors:

- Certain activities are limited to particular sites because they have highly
  specialized needs.
- Certain related activities (or) economic functions tend to cluster in the same
district because they can carry on their activities more efficiently as a cohesive
unit.
- Certain unrelated activities by their very nature repel each other and locate in a
  separate area.
- Certain activities, unable to generate enough income to pay the high rents of
certain sites, may be relegated to more inaccessible location.

The picturisation of this model is given in Annexure -16

Inverse Concentric Zone Theory:

The model of this theory exists in the cities of less developed countries wherein
the high class people reside near the centre and the low class people live away from
the centre. Such development occurs due to lack of adequate and dependable
transportation system which restricts the upper class to the centre of the city in order
to be close to their place of work and functions of the city which are primarily
administrative and religious/cultural functions dominated by the elite and concentrated
in the centre of the city.

While these theories/models were constructed based on the Western life style,
their culture and economic activities, it is doubtful whether these models can be applied
to Indian cities. However the two principal forces that acted in designing the existing
forms of Indian cities are the colonial force and the traditional aspects. Calcutta, Bombay and Madras are the classical examples of colonial base model. The need to perform colonial function demand a particular form of land use pattern. The following aspects were the basic features of colonial base model:

- The need for trade and military reinforcements required a water front location accessible to ocean going ships. This required port facility and that was the starting point of the city.

- A walled fort was constructed adjacent to the port with fortification white soldiers and officers' barracks, a small church and educational institutions. Thus the fort became not only a military outpost but the nucleus of the colonial exchange.

- An open space was reserved around the fort to provide a field of fire and for other security reasons.

- Beyond the fort and the open area a “Native Town” or town for the native people eventually developed, characterized by over crowding, unsanitary conditions and unplanned settlements.

- A Western-styled central Business District (CBD) grew adjacent to the fort and “Native Town” with a high concentration of mercantile type office functions, retail trade and low density of residential houses.

- The European Town” grew in a different area/direction from the Native town.

- Between the fort and the “European Town” (or) at some appropriate nearby location an extensive open space was reserved for military parades and Western recreation facilities such as Golf and Race courses.

- When a domestic water supply, electric connections and sewage links were available (or) technically possible “The European town” residents utilized them fully whereas it was restricted in the Native Town.

- In between the Native Town and European Town developed the colonies of the Anglo-Indians.

- From 19th century onwards, the colonial city became so large that new living space was necessary, especially for the Native elites and richer people.
Extensions to the city were made by reclaiming the low land and for developing in a semi-planned manner the existing non-urban areas. The model of colonial base is given in Annexure - 17. After Independence even now these features prevail in many Indian cities and the city of Madras is not an exception. But with the population explosion, the necessity arises for better land use pattern.

As far as MMA is concerned, the rapid growth of population has led to several changes in the land use pattern both within the city and in the rest of MMA. With the extension of the municipal corporation limits in 1978, the area of the city increased to 172 sq km and this reduced the size of the Metropolitan area to 1005 sq km. Eighteen villages which were located outside the old city boundary came to be included within the corporation limits. As far as Madras City is concerned, there is no significant change took place in land use pattern between 1975 and 1995. It is due to the fact that land available for new development is very little. But the land use pattern in the rest of the Metropolitan Area, has undergone significant changes.

There is a proliferation of residential developments along the fringe areas of the city especially in the south, south west, west and north. There has been an extensive land sub-division both approved and unapproved for housing outside the urban land ceiling boundary. An MMDA study has estimated that within MMA, the area subdivided in approved layouts alone is about 720 hectares comprising about 22,000 plots over the last eight years. It has also been estimated that an equal extent of land subdivision has taken place without the requisite approvals. There is an increased concentration of industrial developments around Thiruvottiyur, Manali and Ennore. The Government Industries department has acquired land for setting up an Aromatic complex and other downstream project of MRL, Madras.

Pronounced Industrial activity has taken place on either side of the Mahaballipuram Road and in and around Porur. Industrial areas such as Electronic city and Indo-Singapore Corridor (Now called Blue chip Enclave) are also developing in these areas. There is a Marginal accretion but dense development contiguous to the city boundary has taken place. Because of large scale urbanisation there has been a drastic reduction
of land for agriculture use. Not only this, many water bodies mostly the tank beds are converted into land for developmental purposes.

When land use survey was conducted by the Directorate of Town planning 33.4 percent of the total area of the city was under residential use, transport and communication system occupied the second largest extent of 17.3 percent of the total area. The details of land used for different purposes within the city limit and in MMA (Excluding Madras City) in 1964 is given below.

Table : 3.2
LAND USE BREAK UP OF MADRAS CITY, 1964

<table>
<thead>
<tr>
<th>Land use</th>
<th>Extent (in hectare)</th>
<th>Percentage of the total area</th>
<th>Percentage of the developed area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>4,028.4</td>
<td>33.4</td>
<td>38.1</td>
</tr>
<tr>
<td>Commercial</td>
<td>410.0</td>
<td>3.2</td>
<td>3.7</td>
</tr>
<tr>
<td>Industrial</td>
<td>479.2</td>
<td>3.8</td>
<td>4.3</td>
</tr>
<tr>
<td>Public &amp; Semi Public</td>
<td>1,342.8</td>
<td>10.6</td>
<td>12.1</td>
</tr>
<tr>
<td>Open spaces</td>
<td>429.6</td>
<td>3.4</td>
<td>3.9</td>
</tr>
<tr>
<td>Utility Services</td>
<td>109.6</td>
<td>0.9</td>
<td>1.0</td>
</tr>
<tr>
<td>Transport &amp; Communication</td>
<td>2,195.2</td>
<td>17.3</td>
<td>19.7</td>
</tr>
<tr>
<td>Vacant lands</td>
<td>1,806.4</td>
<td>15.0</td>
<td>17.2</td>
</tr>
<tr>
<td>Non-Urban uses</td>
<td>1,577.2</td>
<td>12.4</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>12,478.4</td>
<td>100.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Source: Madras Metropolitan plan. R.D & L A Dept, part II, Chapter 1
Table 3.3
LAND USE BREAKUP OF MMA (EXCLUDING MADRAS CITY), 1964

<table>
<thead>
<tr>
<th>Land use</th>
<th>Extent (in hectare)</th>
<th>Percentage of developed area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>3.318 4</td>
<td>19.6</td>
</tr>
<tr>
<td>Commercial</td>
<td>122.0</td>
<td>*</td>
</tr>
<tr>
<td>Industrial</td>
<td>2.502 0</td>
<td>14.8</td>
</tr>
<tr>
<td>Public and semi public</td>
<td>1.969 6</td>
<td>11.6</td>
</tr>
<tr>
<td>Open space</td>
<td>1.194 4</td>
<td>7.1</td>
</tr>
<tr>
<td>Utility services</td>
<td>53.6</td>
<td>*</td>
</tr>
<tr>
<td>Transport &amp; communication</td>
<td>2.890 8</td>
<td>17.0</td>
</tr>
<tr>
<td>Vacant</td>
<td>4.888 0</td>
<td>28.9</td>
</tr>
<tr>
<td>Non-urban uses</td>
<td>87,180.6</td>
<td>*</td>
</tr>
<tr>
<td>Total</td>
<td>1,04,119.4</td>
<td>100.0</td>
</tr>
</tbody>
</table>

* These uses constitute less than 1 percent of the developed area

Source: Directorate of Town Planning, 1964

In 1974, nearly a decade after, the area developed for residential purpose has risen to 44.9 percent of the total area in the Madras City alone. There is an overall increase in the land use breakup. However, the vacant and non-urban uses were reduced
The land use break up of both MC and MMA in 1974 is given below

**Table 3.4**

**MC AND MMA CLASSIFICATION OF LAND USE, 1974**

<table>
<thead>
<tr>
<th>Land use</th>
<th>Extent (in hectare)</th>
<th>Percentage of total area</th>
<th>Extent (in hectare)</th>
<th>Percentage of total area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>5,780</td>
<td>44.9</td>
<td>14,240</td>
<td>12.2</td>
</tr>
<tr>
<td>Industrial</td>
<td>880</td>
<td>6.6</td>
<td>3,720</td>
<td>3.2</td>
</tr>
<tr>
<td>Commercial</td>
<td>760</td>
<td>5.9</td>
<td>860</td>
<td>0.7</td>
</tr>
<tr>
<td>*Institutional</td>
<td>2,160</td>
<td>16.8</td>
<td>4,700</td>
<td>4.0</td>
</tr>
<tr>
<td><strong>Open spaces</strong></td>
<td>3,320</td>
<td>25.8</td>
<td>14,040</td>
<td>12.0</td>
</tr>
<tr>
<td>Agriculture</td>
<td>-</td>
<td>-</td>
<td>79,120</td>
<td>67.9</td>
</tr>
<tr>
<td>Total</td>
<td>12,880</td>
<td>100.0</td>
<td>1,16,680</td>
<td>100.0</td>
</tr>
</tbody>
</table>

* Includes public and semi public uses, utility services, transport and communications.

** Includes vacant land and non-urban uses

Source: Madras Metropolitan Development Authority

The Draft report of Master Plan for MMA in 1975, prepared the land use map for MMA based on the land use map prepared by the Directorate of Town and Country planning. The proposed land use structure (for 1991) of Madras City and Urban Nodes is below:
<table>
<thead>
<tr>
<th>Land use</th>
<th>Madras City</th>
<th></th>
<th>Urban Nodes</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Extent</td>
<td>Percentage of total area</td>
<td>Extent</td>
<td>Percentage of total area</td>
</tr>
<tr>
<td></td>
<td>(in hectare)</td>
<td></td>
<td>(in hectare)</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>5253.6</td>
<td>40.8</td>
<td>16,352.0</td>
<td>51.0</td>
</tr>
<tr>
<td>Commercial</td>
<td>496.4</td>
<td>3.9</td>
<td>932.0</td>
<td>2.9</td>
</tr>
<tr>
<td>Industrial</td>
<td>819.2</td>
<td>6.4</td>
<td>6,080.0</td>
<td>19.4</td>
</tr>
<tr>
<td>Public &amp; semi public</td>
<td>2,088.4</td>
<td>16.2</td>
<td>3,408.0</td>
<td>10.9</td>
</tr>
<tr>
<td>Open space</td>
<td>1,164.4</td>
<td>9.0</td>
<td>4,704.0</td>
<td>14.0</td>
</tr>
<tr>
<td>Transport &amp; Communication</td>
<td>3,034.0</td>
<td>23.7</td>
<td>*</td>
<td>*</td>
</tr>
<tr>
<td>Total</td>
<td>12,856.0</td>
<td>100.0</td>
<td>31,476.0</td>
<td>100.0</td>
</tr>
</tbody>
</table>

* Not separately computed.

But the first master plan had proposed the following land use Structure Plan for Madras City and MMA (1991):

**Table 3.6**

**PROPOSED LAND USE STRUCTURE 1991**

<table>
<thead>
<tr>
<th>Land use</th>
<th>MC</th>
<th></th>
<th>MMA (Excluding Madras City)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Extent (in hectare)</td>
<td>Percentage of total area</td>
<td>Extent (in hectare)</td>
<td>Percentage of total area</td>
</tr>
<tr>
<td>Residential</td>
<td>8,081.98</td>
<td>48.57</td>
<td>32,255.78</td>
<td>30.98</td>
</tr>
<tr>
<td>Commercial</td>
<td>973.28</td>
<td>5.85</td>
<td>895.42</td>
<td>0.86</td>
</tr>
<tr>
<td>Institutional</td>
<td>2746.43</td>
<td>16.51</td>
<td>4935.20</td>
<td>4.76</td>
</tr>
<tr>
<td>Industrial</td>
<td>1,107.51</td>
<td>6.66</td>
<td>6361.62</td>
<td>6.11</td>
</tr>
<tr>
<td>Open space &amp; Recreational</td>
<td>3254.11</td>
<td>19.55</td>
<td>7,767.21</td>
<td>7.46</td>
</tr>
<tr>
<td>Agricultural</td>
<td>-</td>
<td>-</td>
<td>50,924.14</td>
<td>48.91</td>
</tr>
<tr>
<td>Non-urban</td>
<td>476.11</td>
<td>2.86</td>
<td>978.71</td>
<td>0.94</td>
</tr>
</tbody>
</table>

**TOTAL**           | 16,639.42 | 100.00      | 1,04,118.08                | 100.00   |

Source: Draft Plan for MMA -2011

Note: The above analysis excludes the cantonment area (1118 hectares) and the Chembarambakkam Tank in Kathirambakkam village (19732 hectares) with regard to the Metropolitan Area (100553.29 - 1118 + 9732 = 99337.97 hectares)

As regards the city, the George Town Area and the Harbour area are excluded from the land use analysis (1704739 - 284 + 534 = 16229.39 hectare)

Though the first Master plan proposed the above land use structure, MMDA was not able to achieve that. The following table gives the land use structure of the MMA that was prevailing in 1991.
### Table 3.7
#### LAND USE STRUCTURE IN 1991

<table>
<thead>
<tr>
<th>Land use</th>
<th>MC</th>
<th>MMA (excluding city)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Extent (in hectare)</td>
<td>Percentage of total area</td>
</tr>
<tr>
<td>Pri Residential</td>
<td>8138.40</td>
<td>47.74</td>
</tr>
<tr>
<td>Mixed Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Village Natham)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>1183.91</td>
<td>6.94</td>
</tr>
<tr>
<td>Institutional</td>
<td>4769.80</td>
<td>27.98</td>
</tr>
<tr>
<td>Industrial</td>
<td>918.14</td>
<td>5.38</td>
</tr>
<tr>
<td>Open space &amp; Recreational</td>
<td>1080.29</td>
<td>6.34</td>
</tr>
<tr>
<td>Agricultural</td>
<td>248.38</td>
<td>1.46</td>
</tr>
<tr>
<td>Non-Urban</td>
<td>104.82</td>
<td>0.62</td>
</tr>
<tr>
<td>Vacant</td>
<td>603.85</td>
<td>3.54</td>
</tr>
<tr>
<td>TOTAL</td>
<td>17047.39</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Source: Draft Plan for MMA -2011

As far as MMA is concerned, there is no clear pattern of settlement. It is because of some natural constraints. Most areas are affected to some extent by factors which make the land less than ideally suited for urban development. While some places are completely ill suited for development i.e., first order constraints, some places are suited for development only under certain strict conditions i.e., second order constraints. The third order constraints are existing in areas where the urban development is less severe than the second order. It is because of these natural constraints, the planning authority before giving permission for development conducts, field check to assess the seriousness of the constraints at the application site, imposes conditions (i.e., performance controls).
and site restrictions appropriate to the constraint (or) constraints. The Maps showing
the first, second and third order constraints are given in Annexures - 18 and 19

To check and also to prevent the conversion of agriculture land for urban
development, the authority insists, the developer to submit a statement indicating the
reasons for choice of that site and showing other sites which were / are considered for
development. Also, the developer should submit a statement of the proposed water
requirements and source and proposed method of disposal. Finally a statement from
the local body to the effect that the loss of agricultural land would not affect the viability
of agriculture in that area.

The action of the authority does not stop with this. While determining the location
of land suitable for urban development, they also verify whether the land comes under
any of the three constraints; whether the land is urban land\textsuperscript{10} (or) urbanising land,\textsuperscript{11} whether
the land is with high agricultural activity, etc. Based on these parameters, a composite
map is prepared and that indicates the areas where urban development should take
place.

Besides several constraints, the MMA also faces the problem of non - availability
of urban land. This is due to existence of open lands which are kept open due to
various reasons\textsuperscript{12} like,

- Open lands prevent / discourage developments such as flood plains (or) foreshore
  area.

- Open lands are devoted to an economically viable use such as horticulture (or)
  intensive agriculture.

- Sometimes open lands may have physical constraints that make urban
  development uneconomic. These may be either natural (such as steep slopes)
  or man made (such as derelict clay pits)

- It may be in private ownership as gardens (or) grounds where the owner has no
  immediate interest to develop

- Sometimes open spaces are developed to public and institutional parks and playing
  fields.
Under these circumstances, in order to achieve greater cohesion between land uses and the urban populations needs, many plan proposals and drafts were prepared on the lines of urban land policy of the Government of Tamil Nadu.

**URBAN LAND POLICY:**

Land policy has variety of meanings. For some the term land policy is nothing but land reforms; for others it is the policy of the Government in relation to the land which it owns; and for some it is indistinguishable from land use policy. In the broadest sense, the scope of the land policy includes the Government's intervention in regulating the urban land resources which include land tenure, public land management, land title registration; property valuation, public goods, public utilities, public transport, highways and Government property management. When the Government actively involve in owning, using and developing urban land resources then the scope of urban land policy expands still further. Nathaniel Lichfield opined that the urban land policy should cover the functions of government in the making of laws that affect land, setting up and operating an urban and regional planning system for controlling land use development.

So, urban land policy includes anything that is concerned with the use of land be it in private (or) public occupation (or) Government regulations that is related to the use of land for e.g. Zoning (or) green belts (or) land reform or land tenure.

Urban land in India covers only 11.2 million acres that comes to less than 1.5 percent of the total land area of the country. Most of the policies concerned with land were aimed at saving prime agricultural land. From the beginning, the approach to urban land has been from the point of view of resolving current problems in a piece meal manner.

The policy-makers for the first time in 1948, paid attention to urban land when land had to be compulsorily acquired for rehabilitating displaced people from East and West Pakistan. The Government of India in 1965 set up a committee on Urban land.
policy The committee stressed that urban land policy should have the following objectives: 16

- To achieve optimum social use of urban land
- To make land available in adequate quantity at reasonable prices to both public authorities and individuals
- To encourage co-operative community efforts and bonafide individual builders in the field of land development, housing and construction and
- To prevent concentration of urban land in a few private lands and to safeguard especially the interests of underprivileged sections of urban society

The committee also suggested that in order to achieve these measures, there should be planned land use (i.e. development plans, zoning and sub-division regulations, buildings bye laws); There should be public intervention in urban land, and finally there should be taxation (i.e. property tax, capital gains tax, tax on vacant land etc.)

But such a comprehensive policy has not yet come into existence. The third five year plan initiated steps to check speculations in urban land and to regulate its price. 17 To have balanced development in a co-ordinated and integrated manner, the urban land policy should have the following components: 18

- Law of land and Modifications in various Acts
- Planning and development
- Dispersal
- Control of land use
- Recapturing plus values of land
- Land management and
- Maintenance of land

R.W. Archer 19 has said one of the primary objectives of an urban land policy must he to improve the operations of the private sector under urban land market
As far as MMA is concerned, regulation of urban land, land use and acquisition of lands are the objectives of the Government.

To achieve these objectives the Government and the MMDA are making use of both the central and state level Acts. They are

- The Land Acquisition Act, 1894
- The Urban land (Ceiling and Regulation) Act, 1976
- The Tamil Nadu Town and Country Planning Act, 1972

All these acts are made use of in the acquisition of land in the preparation of Master plans and also in the constitution of development Authorities.

**THE LAND ACQUISITION ACT, 1894:**

This Act is the oldest and the most important legislation. Based on this Act only, many States and the Union have formulated subsequent Acts. This Act is the main legal tool which gives pre-emptive rights to public authorities in India to acquire, develop and allot land for public purposes. However, the Act did not clearly define the term “public purpose” and the courts have taken a liberal view of the term.

**THE URBAN LAND (CEILING AND REGULATION) ACT, 1976:**

This Act was passed mainly to deconcentrate the land which will otherwise be in the hands of a few. Also to foster higher productive efficiency by augmenting the land resources which will otherwise remain idle (or) under-exploited.

The objective of this Act is “to provide for the imposition of a ceiling on vacant land in urban agglomerations, to regulate the construction of buildings on such land and for matters connected therewith, with a view to preventing the concentration of urban land in the hands of a few persons and speculations and profiteering therein.”
and with view to bringing about an equitable distribution of land in urban agglomerations to subserve the common good 21

But this act is also ineffective, when it comes to operation. For instance, the option of the owner of the land to retain the best and most potential part of the land in his custody, leaving odd shaped and irregular and often disconnected small pieces of land for declaration as surplus, has made the act very ineffective 22

TAMIL NADU TOWN AND COUNTRY PLANNING ACT, 1971:

Since 1960, many States have enacted their own Town and Country Planning legislations more or less on lines with the Model Act suggested by the Central Town and Country Planning Board to advise the state Government on matters relating to Town Planning and to guide, direct and assist local planning Authorities in the preparation and enforcement of development plans.23

The Tamil Nadu Town and Country planning Act, 1971 had been enacted by the Legislature of the State of Tamil Nadu in 1971. This Act extends to the whole of the State of Tamil Nadu except the places declared to be cantonments under sec. 3 of the Cantonment Act, 1924.

This Act is responsible for the evolution of the Directorate of Town and Country planning, Madras Metropolitan Development Authority, Regional Planning Authority, Local Planning Authority and New Town Development Authority.

The two Master plans for the MMA have been prepared in accordance with the provisions of this Act. This Act also has provision for the acquisition of land. The Act provides that "any land required, reserved (or) designed in a Regional plan, Master plan, Detailed Development plan (or) a New Town Development plan, as the case may be, shall be deemed for a public purpose within the meaning of the Land Acquisition Act, 1894 and may be acquired under the said Act as modified in the manner provided in this Act"24
Besides these acts, the authority has proposed some legislations, in order to make the enforcement more effective and they are

**THE TAMIL NADU OWNERSHIP FLATS (REGULATION OF THE PROMOTION OF CONSTRUCTION, SALE, MANAGEMENT AND TRANSFER) ACT:**

Normally there used to be malpractices by the flat promoters regarding construction, sale, management and transfer of flats to buyers. In order to curb this malpractice the authority has proposed this act. This proposal seeks to provide for registration of agreements, maintenance of separate account of all transactions by the promoter and furnishing of the information and documents by the promoter to the buyer. restricts the advance to be paid and ensures handing over of the flat to the buyer within the time assured.

**THE TAMIL NADU APARTMENT OWNERSHIP ACT:**

This act seeks to confer heritable and transferable right to the buyer, enables the formation of co-operative society for maintenance and prohibits any flat owner from making any change without obtaining the consent of the co-owners.

These two draft legislation are yet to get the consent of the Government

**TAMIL NADU SPECIFIED COMMODITIES MARKETS (REGULATIONS OF LOCATION) ACT:**

To relieve the city from congestion, the authority has planned special projects viz. Wholesale Market Complex at Koyembedu, Iron and Steel Market at Sathangadu thereby to shift the wholesale traders to the periphery of the city.

To make the enforcement more effective, the authority proposed this act. This act seeks to regulate the location of market areas for wholesale traders for certain specific commodities and to establish market committees to manage and control such markets.
Like the other two, this draft legislation is also under active consideration of the Government.

The MMDA has also proposed amendments to Town and Country Planning Act 1971, which are as follows:

- Collection of compounding/Regulation fee on unauthorized/deviated constructions for giving exemption/relaxation. The amount of levy will be to that extent, that the unauthorized developments have become unattractive and thus act as a deterrent. It is proposed to collect the equivalent land value of the total floor area violated/deviated.

- Levy of Regulation charges on unauthorized subdivision

- To give statutory backing for the levy, collection of security deposit to secure conformity with the approved plans

With these aforesaid Acts/Legislations the MMDA has been preparing plan proposals for MMA.

From 1957 to 1975 nearly five plan drafts were prepared. However all these plan proposals were merely paper plans.

MASTER PLAN FOR MMA:

The Tamil Nadu Town and Country Planning Act envisages the term “Master Plan” for long range plans. But this term is used differently by different states (General Development Plan, Comprehensive Development Plan, Perspective plan so on and so forth).

In the context of MMA, Master Plan is defined as an official public document adopted by the Government as a policy guide regarding decision about the physical development of the community. In a general way, it indicates, how the community will develop in the next fifteen to twenty years. It is an official statement which sets forth its major policies concerning the desirable future physical development.
While the Master plan is for the city (or) for the Metropolitan Area as a whole stating the policies and overall development proposals, the Detailed Development plans are little more specific about the proposed physical developments in specific areas of the city or the Metropolitan Area concerned. The subject matter of Master Plan/Detailed Development Plan as provided in the Tamil Nadu Town and Country Planning Act is given in Annexure -20

The Madras Metropolitan Development Authority prepared its First Master Plan for MMA in 1975. It adopted the spatial strategy of satellite towns linked to radial corridors as enunciated in the MMA Plan 1971 - 1991. The strategy proposed

- Decongestion of the core city
- Development of six Urban Nodes - two on each of the three rail corridors and
- Development of three Satellite Towns one on each of the rail corridors outside MMA within a distance of about 45 km from the city

Places such as Ambattur, Avadi, Tambaram, Alandur, Manali and Minjur areas were identified as urban Nodes. Maramalai Nagar on NH 45, Thiruvallur on NH4 and Gummidipoondi on NH4 areas were selected for the development of satellite towns. A set of Development control rules were proposed by taking into account the planning provisions available under the Municipal Acts and Rules. The Acts and Rules are given in Annexure -21.

The first Master plan believed that by implementing the above mentioned strategies, the following results will occur:

- Congestion in the centre of the city will reduce
- Unidirectional flow of the population along the corridors will be eliminated and enabling them to function more efficiently
- Satellite Towns and the self contained urban communities will be developed simultaneously.
The existing urban centres and the possibility of tying up the future urban centres along the regional transportations will be preserved.

But after two decades of inception of the first master plan, it is found that the strategy propagated therein has been realised only 50 percent. Major projects under sites and services, slum improvements and augmentation of the bus fleet were successfully completed under the Madras Urban Development project and Tamil Nadu Urban Development Project. The Inner ring road after much delay was finally completed. 27

One of the reasons for the non-realisation of some of the programmes, may be that the population envisaged in the first Master plan did not happen. Apart from Madras City, where the population was more than projected, the other urban centres have not registered any significant rate of growth. However, the major projects that formed the backbone of the central strategy for decongestion, decentralization of economic activities, dispersal of population and deflection of traffic to peripheral centres appeared to have got mixed in protracted delays and neglect.

Among the three Satellite Towns and six Urban Centres the work on Maraimalai Nagar and Manali alone was commenced. After 15 years of its commencement, the population level in these two towns is only a few thousands and not as expected. In the development of these towns delay was caused due to land acquisition procedures (mainly the antiquated way of computing compensation) non-availability of lands (due to forest and pasture lands), administrative bottlenecks leading to slow progress of work, and failure to generate internal funds as envisaged in the initial stages etc. 28

SECOND MASTER PLAN - 2011:

Nearly after a gap of 20 years, the MMDA once again prepared the Second Master plan. The new master plan spells out overall strategy for tackling land use and development for a population which is expected to increase to 6.04 Millions in Madras City and 8.5 million for the MMA by 2011 till which point the plan will remain in operation. 29
This Master plan is in sequel to the first Master plan. The Master plan, in essence spells out imperatives for immediate action for managing the future growth of MMA in the light of the following facts.

1. The increase in population within the city by a further two million, calls for sustained efforts for upgrading infrastructure. Absence of which would result in serious deterioration of environment. If the pressure on the city is to be reduced, development opportunities outside the city need to be considerably expanded.

2. The present urban planning system relying solely on physical planning and divorced from economic planning and infrastructure coordination and the needs of the city’s growth.

3. Slums are continuing to expand and supply of land for affordable housing is dwindling.

4. Scarce urban land is being used up inefficiently and most of the housing plots in layouts are blocked for deferred use leaving little room for immediate developments.

5. The public sector’s contribution to housing is small compared to the total need for housing. The private sector is concerned about the high and middle income groups.

6. The pressure of development, affects areas which are ecologically sensitive. These areas are to be protected. Many historical and cultural heritage areas are getting obliterated. Environmental pollution particularly, pollution of water ways, has reached serious proportions posing increased hazards for health.

7. Intense pressure is building up on the road system particularly in respect of commuter traffic.

8. The present levels of resource mobilisation are far below the level required for meeting the investment and maintenance needs of infrastructure.

Keeping these things in mind, the Authority in the second Master plan has introduced several new and important aspects.
Under the new plan, the area of MMA has been expanded from 1170 sq km to 1220 sq km. The plan in order to accommodate the expecting increase of population, has decided to convert all dry agricultural lands, Government lands within MMA and other open spaces to urbanisable land. So that large chunks of land will be available for housing and other development purposes.

**MINIMALLY DIRECTED ORGANIC DEVELOPMENT STRATEGY:**

The basic premise of this strategy is to direct the city’s growth in such a manner as to provide for an improved quality of living for the citizens and to achieve the following objectives:

- Evolving an environment wherein land supply can be augmented
- Providing wider scope for employment generating activities
- Increasing the utilisation of rail corridors so that both the rail and bus systems optimally share the commuter load.
- Reducing the development regulation in implementing the plan

The strategy is considered significant from the first Master plan which had emphasised the development of radial corridors linked to satellite towns.

Another major proposal of the second Master plan is allowing any kind of construction activity on the East Coast Road, by enforcing the notification of the Union Ministry of Environment and forestry which has laid down regulations for construction in the coastal belts. With the MMA being expanded in the new plan to include 11 more villages beyond Uthandi, a new set of regulations on construction has been introduced. Under this regulation construction is allowed up to Mahabalipuram but excluding the Township of Mahabalipuram. It is learnt that in order to stop further haphazard development in the coastal area through unauthorised construction, the MMDA, in its second Master plan has included this proposal.
THE DEVELOPMENT REGULATION:

Since the Zoning system enunciated in the First Master plan was rigid the second Master plan proposed to adopt a broad based zoning system which will be flexible minimize reclassifications and facilitate industrial activities keeping in tune with the new liberalised policy of the Government of India and the State.

Three classifications were adopted for Industrial zones in the first Master plan viz Light Industries, General Industries and Special and Hazardous Industries. While the special and Hazardous industrial zone classification is retained the other two are combined into one to be called Industrial zone in the proposed second Master plan. The permissibility of Industries in these zones has been arrived at on the basis of the classification of Industries adopted by TNPCB viz Green, Orange and Red.

Institutional use zone and Open space and Recreational use zone are by and large restricted to Government and Trust lands and lands already having large institutional (or) recreational activities. However, these activities would be permitted in other areas designated for commercial and urbanisable zones. whenever private individual owners want to promote such activities.

The concept of urbanisable / non-urbanisable use zone is being introduced in the second Master plan with a view to accommodate all future activities with sufficient environmental safeguards wherever needed and to prohibit certain activities detrimental to the living conditions of the people. The urbanisable zone has been introduced for the first time with the intention of opening up large areas for development. Non-urbanisable zone would comprise all lands and areas that have to be preserved (or) conserved for ecological reasons (or) for their agricultural value. No reclassification is permitted in such areas. The proposed land use break up for the city as well as the MMA under the second Master plan is given in Annexure - 22.

As far as building rules are concerned, the second Master plan has made some relaxations. The special buildings could be permitted on a 30 feet i.e. 9 m road provided,
the minimum extent of plots is 1100 sq m i.e five grounds. For every 210 sq m to 100 sq m of dwelling unit one car parking space is proposed in addition to 10 percent of visitors parking.

The maximum permissible floor space Index (FSI) for other than Multi-storeyed Building (MSB) is 1.5 on roads below 12 m width and 1.75 above 12 m width road within the city. And it shall be 2 m roads having 12 m wide and above for outside city within MMA. The maximum FSI permissible for MSB shall be 2.75. The MSBs could be permitted in MMA on roads having 18 meters and above.

To sum up, the proposed development regulation seeks to meet:

- The long felt needs of the public and developers and have been modified to encourage development while protecting the environment
- Provide for transparency without leaving any room for misinterpretation of rules
- There by discouraging unauthorised/deviated constructions and providing for stricter penalties for violation of the rules

The second Master plan has been prepared from the experiences that have been acquired through the first Master plan. The second Master plan is to get the clearance from the Government. Only then it can be put into force.

MADRAS METROPOLITAN DEVELOPMENT AUTHORITY:

The MMDA is the main institution that is involved in the land use planning of the MMA. Before its formation, land use planning was performed by the Directorate of Town and Country Planning. The Government have set up this authority mainly to ensure the orderly development of the Metropolis on the lines indicated in the Madras Metropolitan plan 1971-1991

With a view to give statutory footing to the MMDA, Tamil Nadu Town and country planning Act 1971 has been amended in 1972. Accordingly MMDA has become the
out planning authority for the Madras City and its environs and also empowering the
same with all the powers conferred on the other planning authorities under the Act

Powers and Functions of MMDA:

The Act set out the following as the functions of MMDA:

- To carry out a survey of the MMA and prepare reports on the surveys so
carried out.
- To prepare Master plan (or) detailed development plan (or) a New Town
development plan referred to under sub section (2) of section 17 (or) under section
20 (or) under 18 as the case may be for the MMA
- To prepare an existing land use map and such other maps as may be necessary
for the purpose of preparing any development plan
- Case to be carried out on such works as are contemplated in any development
plan
- To designate the whole of MMA (or) any part thereof with in its jurisdiction as a
new town and to perform the follow-up functions viz
- To prepare a New Town Development plan for the area concerned and
- To secure the laying out development of the New Town in accordance with the
New town Development plan
- To perform such other functions as may be entrusted to it by the Government

The MMDA by order, entrust the work of execution of any development plan
prepared by it to any local authority (or) other authority as specified in such order

The MMDA by order authorise any local authority (or) other authority as may be
specified in such order to exercise any of the powers vested on it by (or) under the act
and may in like manner withdraw such authority and exercise of any power delegated on
its behalf shall be subject to such restrictions and conditions as may be specified in
such order Under Sec.58 of the Tamil Nadu Town and Country Planning Act, 1971. Government departments have to obtain clearance from the planning authority i.e. from MMDA, in respect of any development of land (or) building which they intend to undertake within the MMA mainly to ensure that development in the Metropolitan area is planned and organised with reference to the total plan completely drawn up and statutorily sanctioned.

In order to perform the aforesaid functions, the authority has both Technical and Administrative staffs. The Authority is headed by a Chairman who is the political executive. Under the Chairman, there is one Vice Chairman and one Member Secretary (both of them are from IAS cadre). Under these Administrative staffs, the MMDA is organised into four functional units, a construction wing, an administrative and financial wing and a accounting division. There is also a grievance cell which is headed by a grievance officer and a legal cell headed by a senior law officer.

The four functional units are 1. Master plan unit, 2. Development planning unit, 3. Area plans unit and 4. Area development unit.

MASTER PLAN UNIT:

This unit is headed by a chief urban planner, the Master plan Division of the Master plan unit conducts survey of land uses and building uses in the entire MMA and prepares land use maps and master plans. The Master plan division before 1985 was called as structure plan division which was created in 1980, based on the recommendation of the structure plan for MMA.

DEVELOPMENT PLANNING UNIT:

This unit is responsible for co-ordinating and monitoring the implementation of the World Bank loan assisted multi sectoral urban development projects. This unit has
completed the first Madras Urban Development Project and the second Urban Development Project. From 1988 onwards they are working under Tamil Nadu Urban Development Project (TNUDP-Madras projects). This unit is headed by one chief urban planner.

The Development planning unit has several divisions. But the sites and services division of this unit is responsible for organising for identifying and for deciding the acquisition of suitable sites, in collaboration with the Tamil Nadu Housing Board. This division prepares layout plans and the Tamil Nadu Housing Board works out the design of the infrastructure and services to be provided in the site with estimates for all these works. The problems that arise during implementation of the scheme are identified and referred to the sites and services committee.

AREA PLANS UNIT:

This unit of MMDA performs the statutory functions of regulation of development, preparation of Detailed Development Plans (DDP), variation of master plan, land use and revision of Master plan. The functions of the preparation of master plan and the preparation of detailed development plans were taken over by Master plan unit in the year 1985. The following are the important works attended by the unit:

- Issue of planning permission,
- Approval of sub division and lay outs,
- Land use rezoning (reclassification),
- Consultancy and counselling to assist the public,
- Review of performance of local bodies in disposing plans
- Permission applications and detection of unauthorised constructions
- Processing of appeals with Government
- Enforcement of regulations

To perform these functions, the unit has four channels viz A, B, C, D and a Review Team Division. The unit is headed by chief urban planner.

**PLANNING PERMISSION:**

Through planning permission, MMDA, regulates development in MMA. Planning permissions are issued with reference to Development Control Rules which form part of the Master plan.

For ordinary buildings, the planning permission is issued by the local bodies that are within MMA. For special Buildings and for Multi-storeyed buildings MMDA gives planning permission but with the approval of the Government.

**LAY OUT / SUBDIVISIONS:**

The planning permission applications for lay out of land / sub division for residential/industrial plots are being received through the local bodies. The permissibility with reference to Master plan use zone, availability of public access to each plot, road network for better circulation of open space for communal and recreation purpose and applicants' title over the land are examined and the layout / sub division is revised.
(if necessary) and cleared. The receipts and disposal of planning permission applications is given below

Table: 3.8

<table>
<thead>
<tr>
<th>Channel</th>
<th>Pending as on 14.94</th>
<th>Receipt during 1994-95</th>
<th>Total</th>
<th>Applied</th>
<th>Disposal</th>
<th>Total pending as on 14.95</th>
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<tbody>
<tr>
<td>Channel-A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Refusal</td>
<td>Returned Call Book</td>
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<tr>
<td>Ordinary</td>
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<td>1296</td>
<td>1595</td>
<td>587</td>
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<tr>
<td>Residential</td>
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</tr>
<tr>
<td>Commercial Buildings</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Channel-B</td>
<td>536</td>
<td>1686</td>
<td>2222</td>
<td>721</td>
<td>1192</td>
<td>1913</td>
</tr>
<tr>
<td>SPL Buildings/Group Developments</td>
<td>536</td>
<td>1686</td>
<td>2222</td>
<td>721</td>
<td>1192</td>
<td>1913</td>
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<tr>
<td>Channel-C</td>
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<td>866</td>
<td>1047</td>
<td>219</td>
<td>662</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Multi-Storeyed Buildings</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Channel-D</td>
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<td>528</td>
<td>671</td>
<td>147</td>
<td>413</td>
<td>560</td>
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<td>5535</td>
<td>1674</td>
<td>3014</td>
<td>4688</td>
</tr>
</tbody>
</table>

LAND USE REZONING (RECLASSIFICATION):

Individual applications for each proposal for changing use is called for from the public by publishing in newspapers. The request is placed before the technical committee for its recommendation. Finally, the request is placed before the authority with the recommendations of the technical committee for final decision.

REVIEW OF PERFORMANCE OF LOCAL BODIES:

The Review Team of MMDA periodically visits the local bodies in MMA to review the planning permissions issued by them and to guide them in processing and issuing
of planning permissions. During its visit, the Review team also detects unauthorised developments in the area and refers them to the Enforcement cell of MMDA for taking further action. Cases of wrong issuance of planning permission are taken to the notice of the concerned Head of Town planning, District Revenue Officer and Collector for taking remedial actions.

APPEAL:

As per the provisions of Town and Country Planning Act, 1971, if an applicants planning permission is refused he / she can appeal to the Government. This unit offers remarks on such appeal petitions after inspections. Follow up action is also pursued on Government orders.

ENFORCEMENT CELL:

The main function of this cell is to monitor the construction activities within MMA. Besides, monitoring the construction approval/refusal by the authority it also pursues action on the unauthorised construction.

At present, this cell mainly monitors special buildings and multi-storeyed buildings i.e. more than two floors where the authority issues planning permission.

SPECIAL ENFORCEMENT CELL (COASTAL AREA):

This cell monitors and enforces unauthorised constructions in the coastal areas (i.e. between Thiruvanmiyar and Uthandi where developments have been banned (but through the second Master plan the authority has decided to lift this ban order).

Besides these cells, the Grievance cell looks into the Grievances of the public and expedite their disposal by liaising with different units and the legal cell defends MMDA in various cases in various courts.

Of the four functional units of MMDA, this unit is mainly involved in physical land use planning.
AREA DEVELOPMENT UNIT:

This is headed by a Chief Executive Officer and assisted by a senior planner. Under him there are seven deputy planners in charge of 7 divisions viz (i) Koyembedu (ii) other projects (iii) Land assembly and Development scheme (iv) New Town (Thiruvallur) (v) New Town (vi) Urban Renewal Plan for MRTS and (vii) Outer Ring Road. Besides these deputy planners, there is an Executive Officer and also a Chartered Accountant, Two Senior Estate Officers, a Senior Accounts Officer supported by Administrative staff.

Of all the divisions it is the Land Assembly and Development Scheme division that formulates integrated urban development schemes which are providing residential commercial and industrial activities on both sides of the Inner Ring Road. This division also identifies sites for acquisition, issue notification of acquisition proposals and actual acquisition of land through land acquisition division of the Area development unit. After acquiring land, this unit develops them into plots for various purposes and allot them to the public.

Besides these divisions, the authority is assisted by several committees. All these committees are advisory in nature. However the authority accepts the advise of these committees invariably. The committees are:

Administrative and Finance Committee: It is an apex body and it has been constituted for giving overall guidance (regarding administration) to MMDA.

Technical Committee: It gives guidance on all technical matters such as land use change, preparation of plans etc.
Design and Advisory committee: It reviews all special projects connected with MMA

Monitoring committee: It reviews all the World Bank aided projects (TNUDP) providing solutions to problems connected with the implementation of TNUDP

Traffic Action Committee: Matters pertaining to traffic and road improvements are discussed by this committee.

Sites and Services Committee: This committee deals with housing matters under TNUDP; transfers of allotment of houses, cancellation of allotments, reallocations of sites etc

The composition of these committees are given in Annexure -23

CONCLUSION:

Since land is the basic and important need of urban planning, the land policy should be sound and the procedure should be effective. Madras being an old city poses innumerable problems in the area of land use planning, both the Government and MMDA have taken extra efforts to formulate proper planning. This is evident from the achievements they have made in the development of Maramala; Nagar New town, Manali New Town, Wholesale market Complex at Koyembedu etc

However there has been delay in the implementation of the projects. As far as MMA is concerned, the problem which the Government and the implementing agencies faces is the acquisition of land. For all practical purposes, the Government is adopting the central act viz Urban Land (ceiling and regulation) Act, 1996 (which is ineffective) though the proviso in the Tamil Nadu Town and Country planning Act, 1971 is very effective. So far the Government has not made use of this Act. Also, the acquisition process gets delayed because of judicial interference. The next problem as stated by the officials is the non-availability of adequate land. One cannot say that there is non-
availability of land absolutely, instead it is only non-utilisation of available land. This is evident from the following table.

Table - 3.9

<table>
<thead>
<tr>
<th>Location</th>
<th>Extent of land (in hectare)</th>
<th>Built up area (in hectare)</th>
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<tbody>
<tr>
<td>PWD Complex at Chepauk</td>
<td>2.67</td>
<td>2.00</td>
</tr>
<tr>
<td>Govt. Estate at Anna Salai</td>
<td>26.00</td>
<td>20.98</td>
</tr>
<tr>
<td>Ministers Quarters at Greenways Road</td>
<td>31.72</td>
<td>11.59</td>
</tr>
<tr>
<td>Total</td>
<td>60.39</td>
<td>34.57</td>
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</table>

Source: Times Research Foundation Report

Of the 60.39 hectares only 34.57 hectares of land is in use. Nearly 40 percent of the land is not in use. Areas under the control of the Central Government i.e. Cantonment areas also have lands without optimum use. This non-utilisation of land results in “Artificial Scarcity” of land. Land control is another area which needs attention.

The scarcity of urban land automatically increases the price of urban land. One best way by which, land price can be controlled is through Government interference. Though this idea may not be welcomed by the public, it is the need of the hour. McAuslan has suggested four models through which Government can have control over the land.

**Public Ownership Model**: In a socialist land policy freehold ownership is not permissible. Private individuals can obtain land from the state for limited periods.
Complete Privatisation Model: In many Western European Countries, this model is practiced wherein the Government has absolutely no hold over the land. But, in this type, the poor will be affected and there will be land hoarding and speculation bound to increase.

Regulatory Model: This is close to the public ownership model and allows private ownership of land with public regulations. Almost all countries in the world (including India) are adopting this model. The control mechanism is through Town and Country Planning Laws, Zoning control, Environmental impact assessment control, Rent control, Mortgage control, Eviction control, and so on.

Facilitative Model: Under this model, Government purchases private agricultural land and resells or leases this to private builders or individuals. To check private transaction on land, Government subsidises, and finance is only available in respect of land which has gone through public ownership. After the agreement the squatters reconstruct their units on a part of the land and the rest is developed by the land lord. This saves time and money for both sides and development does not get unnecessarily delayed. McAuslan suggests this model for India because of the limited resource of land and high percentage of Economically Weaker Section of the society.

There should be a comprehensive urban land policy which should aim at acquisition of land in effective way, proper and effective utilisation of the urban land, and controlling the land prices.
NOTES AND REFERENCES


6. Ibid., p. 10

7. Ibid., p. 111


9. Alandur, Ullegavan, Puruthavakkam and Kottivakkam and in areas like Padi, Mugappair, Ambathur, Nellikundam, Porur, Valasaravakkam and Ramapuram in the west and in acres like Madhavaram, Surapet, Thiruvottiyur and Kathivakkam in the North

10. 1655.99 acres of land have been acquired, this comprises villages of Mathur, Kosappur, Amulavoyal, Vaikkadu, Elandancherry and Manali

11. Urban land is one where the uses are substantially urban and where little land was not already in urban use

12. Urbanising land is one where development was spare possibly with some parts still in agricultural use.


Issue of notifications for freezing land values with a view to early acquisition of land by public authorities;

- Acquisition and development of land by public authorities in accordance with outlines of development plans as an essential step for preventing speculation. The land was to be acquired in bulk; with the programme of acquisition suitably phased. Development of the acquired land to be expedited by the essential services being provided by public authorities and in urban land bank created to regulate market prices.

- Allotment of land only on a lease-hold basis so that besides the recurring income secured on account of the ground rent, a fair share in the increase in the value of land continues to accrue to the community.

- Betterment-levies and taxation on agricultural lands permitted for non-agricultural uses.

- Capital tax on transfer of free hold lands.

- Taxation of vacant plots in developed areas with power to acquire if they are not built upon within a specified period.

- A ceiling on the size of individual plots and limiting the no. of plots which a single individual may be permitted to own.

- Determination of appropriate norms of rent and regulation and control over rents.


24 The Tamil Nadu Town and Country Planning Act 1981 (Tamil Nadu Act 35 of 1972)


28 Master Plan for MMA - 2011, Modified Draft Approved by Authority, MMDA, Dec. 1995

29 Rasheeda Bhagat, "MMDA to take up Second Master Plan by December", Indian Express, 2nd August 1995

30 In the central notification no construction is allowed with in an area of 200 meter from the High tide level. Between 200 - 500 metre mark, construction is allowed with the FSI (Floor Space Index) being only.33


32 Sites and Services Division, slum Improvement Division, project Monitory Division, Traffic and Transpiration (MMA) division, Traffic and Transportation (World Bank) division, Public Relations and Training Division, Urban Economics division, and Madras Metro Flood Relief division.

33 S. Chattopadhyay and S P Singh, "Evaluation of urban land policies in India", Institute of Town Planners in India Journal (Vol 11, No 3 March 1993), pp 54-55